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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,768	02/11/2005	Christian Leth Petersen	900.304-US-WO	7136
22865	7590	11/21/2005		
ALTERA LAW GROUP, LLC 6500 CITY WEST PARKWAY SUITE 100 MINNEAPOLIS, MN 55344-7704			EXAMINER ISLA RODAS, RICHARD	
			ART UNIT 2829	PAPER NUMBER

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary

Application No.

10/500,768

Applicant(s)

PETERSEN ET AL.

Examiner

Richard Isla-Rodas

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-6 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07/06/2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/13/2005 07/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the filter recited in claim 4 as well as the wafer body recited in claim 5 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by the US Patent to Severin (3,735,254).

In terms of claim 1, Severin shows in Figure 5, an electrical feedback detection system comprising an electric generator (8) connected to a first multitude of electrodes (1 and 4) of a multi-point probe (1, 2, 3 and 4), a second multitude of switched (S1) impedance detection elements (2 and 3) connecting said first multitude of electrodes (1 and 4) of said multi-probe and an electrical detector means (14) for detecting a measuring signal from the electrical signal across said second multitude of switched (S1) impedance detection elements (2 and 3).

In terms of claim 2, in addition to that stated with regards to claim 1, Severin shows in Figure 5, probes 1 and 4, which provide electrical connection between the sample (5) and the electrical generator (8).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 is rejected under 35 U.S.C. 103 (a) as being unpatentable over the US Patent to Severin (3,735,254) in view of the US Patent to Takeuchi et al. (5,583,4460).

In terms of claim 4, Severin teaches all of the claimed elements as discussed above, except for the detector means to further comprise a filter for filtering the output of the electrical detector means. Takeuchi et al. teach in Figure 1a, a probing system in which a bandpass filter (19), filters the signal from an electrical detector means (17). It would have been obvious to one of ordinary skill in the art at the time of the invention, to use the teaching of bandpass filter filtering the output of an electrical detector, as disclosed by Takeuchi et al. to include a bandpass filter to the output of the electrical detector means in Severin's device in order to filter noise and sort out undesired frequencies.

5. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over the US Patent to Severin (3,735,254) in view of the US Patent to Cheng (6,154,041).

In terms of claim 5, Severin teaches all of the claimed elements as discussed above, except for the multi-point probe comprising a supporting body as defined in parts

a, b and c of claim 5. Cheng teaches in Figure 2, a multi-point probe comprising, a supporting body (22), defining a first surface (26), a first multitude of conductive probe arms (P1, P2, P3, P4), each defining a proximal end and a distal end, positioned in coplanar relationship with the first surface (26) of the supporting body (22), and conductive probe arms (P1, P2, P3, P4) being connected to the supporting body at the proximal ends thereof and having the distal ends freely extending from the supporting body (22), giving flexible motion to the first multitude of conductive probe arms. It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the teachings of supporting body and probe layout, as disclosed by Cheng, in order to provide with a support for the probes in Severin's device.

6. Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over the US Patent to Severin (3,735,254) in view of the US Patent to Marumo et al. (5,525,911).

In terms of claim 6, Severin teaches all of the claimed elements as discussed above, including an electric generator (8) for generating a test signal and electric measuring means (14) for detecting a measuring signal. Severin teaches all of the elements except for means for receiving and supporting a test sample. Marumo et al. teaches in Figure 1, a probe tester comprising means (1) for receiving and supporting a test sample (P). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the teaching of support means disclosed by Marumo et al. to include such means to support the sample in Severin device in order to provide a steady support for the sample.

Claim Objections

7. Claim 3 would be allowable if rewritten to overcome the rejection under 35 U.S.C 102 (b), set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

In terms of claim 3, no prior art was found that contained a differential voltage to current converter comprising a precision amplifier providing two differential inputs, one output, and one reference input, a precision resistive element providing an internal and external port, said internal port connected to said output of said precision amplifier, and a voltage follower providing an input and an output, said input connected to said external port of said precision resistive element, and said output connected to said reference input of said precision amplifier.

8. Claim 5 is objected to because of the following informalities: Part C of claim 5 is confusing . It isn't clear what the applicant means by "producing said conductive probe arms on supporting wafer body in *facial contact* with said supporting wafer body."

Appropriate clarification is required.

Conclusion


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patents to Cao et al. (5,214,389), Witt (5,136,252), Re Florentin et al. (4,887,025), Robinson et al. (3,995,213), Meyer Press (3,611,125) and Cheng (6,154,041).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Isla-Rodas whose telephone number is (571) 272-5056. The examiner can normally be reached Monday through Friday 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (571) 272-2034. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RI


VINH NGUYEN
PRIMARY EXAMINER
A.U. 2829
11/17/05